

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2005-333-T - ORDER NO. 2006-377
JUNE 19, 2006

IN RE: Application of Michael Julian Carter, 4920) ORDER APPROVING
Greenfield Lane, Longs, South Carolina 29568) WITHDRAWAL OF
(District 5) for a Class C Certificate of Public) PETITION FOR RULE TO
Convenience and Necessity.) SHOW CAUSE

This matter comes before the Public Service Commission of South Carolina (the Commission) on the Motion of the South Carolina Office of Regulatory Staff (ORS) to Withdraw Petition for Rule to Show Cause (Motion to Withdraw) against Michael Julian Carter (Carter).

On May 23, 2006, ORS filed a Petition for Rule to Show Cause (Petition) against Carter requesting the Commission institute a rule to show cause proceeding against Carter for failure to maintain and file evidence of insurance as required by S.C. Code Ann. § 58-23-910 (Supp. 2005) and 26 S.C. Code Ann. Regs. 103-175 (Supp. 2005). ORS notes that contemporaneously with this Petition, it filed a Motion for Immediate Suspension of Certificate of Public Convenience and Necessity (Motion) of Carter.

ORS states in its Motion to Withdraw that at the time of the filing of ORS' Petition and Motion, Carter did not have on file with the ORS evidence of the requisite insurance. Subsequent to its filing of the Petition and Motion, ORS asserts that Carter filed with the ORS a Form E, "Uniform Motor Carrier Bodily Injury and Property Damage Liability Certificate of Insurance" from Canal Insurance Company evidencing

that Carter was in compliance with S.C. Code Ann. § 58-23-910 (Supp. 2005) and 26 S.C. Code Ann. Regs. 103-175 (Supp. 2005).

As Carter is now in compliance with the requirements of maintaining and filing evidence of insurance, the ORS states that the need for a rule to show cause proceeding has ceased and that the immediate suspension of Certificate of Public Convenience and Necessity has ended as well. Accordingly and in accordance with S.C. Code Ann. § 58-3-225(E), the ORS requests that its pending Petition for a Rule to Show Cause against Carter be withdrawn.

After due consideration of ORS' Motion to Withdraw, the Commission is of the opinion, and so finds, that ORS' Motion to Withdraw should be granted.

IT IS THEREFORE ORDERED:

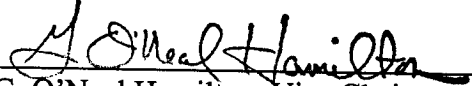
1. That Motion to Withdraw Petition for Rule to Show Cause against Michael Julian Carter of the South Carolina Office of Regulatory Staff is hereby granted.
2. That Petition for Rule to Show Cause against Michael Julian Carter is hereby withdrawn.

3. That this Order shall remain in full force and effect until further Order of this Commission.

BY ORDER OF THE COMMISSON:


Randy Mitchell, Chairman

ATTEST:


G. O'Neal Hamilton, Vice Chairman

(SEAL)